

The Kentucky State Board for Proprietary Education

February 17, 2012

A regular meeting of the Kentucky State Board for Proprietary Education was conducted on February 17, 2012 at the Office of Occupations and Professions in Frankfort, KY.

<u>Members Present</u> Bill Johnson, Chairman Jan Gordon, Vice Chairman David Keene Glen Wilham Lois Weaver Dr. Steve Meade Walter Lee <u>Members Absent</u> Vivian Nash Jim Jackson Leonard Napolitano	<u>Occupations and Professions Personnel</u> Lindsey Lane, Board Administrator <u>Others</u> Brenda Allen, General Counsel Capt. Fred Williams, Kentucky State Police Dr. Tom Barron, Board Investigator Cindy Landry, ATA College Rucker Grigsby, KY Health Training
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Chairman Bill Johnson called the meeting to order at 10:16 am.

New Board Member Walter Lee was sworn in by Carolyn Benedict of the Office of Occupations and Professions. Jim Jackson and Leonard Napolitano were unable to attend the February meeting but will be sworn in at the March meeting.

Approval of Minutes

Minutes of the January 20, 2012 meeting were presented for the Board's review. Ms. Gordon made a motion to approve the minutes with a minor revision. Mr. Wilham seconded that motion and it carried unanimously.

Review of Financial Report

The Board reviewed financial report that ended on January 31, 2012. This no longer requires Board approval as it is strictly informational to Board members.

Licensure Status Report

Ms. Lane presented the current Licensure Status Report to the Board. The report showed there are currently 122 Resident Schools and 30 Non-Resident Schools for a total of 152 licensed schools. There are 145 licensed school Agents and 27 CDL Instructors.

Executive Director Report

Executive Director Courtney Bourne welcomed Mr. Walter Lee to the Board. Ms. Bourne informed the Board that there would be a New Member Orientation for the three new members at the March meeting.

Board Administrator Report

Ms. Lane informed the Board of all actions that she had taken since the January 20, 2012 meeting. An approval letter was sent to Mid American Truck Driving School, LLC for their Application for Resident School subject to the site visit from the Board Investigator and the Equipment Inspection that is conducted by Kentucky State Police. RealEstateCE.com received a deferral letter for their Non Resident School Application. The school will need to submit the school's surety bond information the Board will review their application again. New Horizons Computer Learning Center, located in Lexington, Kentucky received an approval letter for their Application for a New Program. The Institute of Dental Technology received an approval letter for their Application for a New Programs at their Florence, and Lexington Kentucky locations. Lincoln College of Technology received an approval letter for their Application for a New Program. Spencerian College located in Lexington, Kentucky received an acknowledgement letter for their Notification to Revise an Existing Program for Less Than 25%.

Ms. Lane reported she was able to fulfill six of the seven Decker transcript requests received by the office.

Board Counsel Report

Ms. Allen did not have anything to report at this time but will be following up on agenda items later in the meeting.

Board Chair

Chairman Bill Johnson requested moving the March meeting to March 30, 2012. All members agreed the change in date would work. Ms. Lane will inform the new members of the date change.

New Schools / Programs Committee

Application for a Resident School

Mr. Wilham made a motion to deny the Application for a Resident School submitted by Mid American Truck Driving School that was originally submitted and voted on during the January meeting. The school was not in compliance when Kentucky State Police went to inspect the equipment. Ms. Weaver seconded that motion and it carried.

Application for a New Program

Ms. Gordon made a motion to deny the Application for a New Program submitted by KY Health Training, located in Lexington Kentucky for an incomplete application. Several Board members suggested holding a workshop where schools can learn and understand how to submit complete applications to the Board. Ms. Weaver seconded that motion and it carried.

Dr. Meade made a motion to approve all three Applications for a New Program submitted by New Horizons Computer Learning Center in Lexington, Kentucky. Mr. Keene seconded that motion and it carried.

Ms. Gordon made a motion to deny the Application for a New Program submitted by MedTech College, located in Lexington, Kentucky for failure to submit the correct application. The new program the school would like to add is an Associate Degree program which will require the school submitted the Application to Award an Associate Degree Program. Mr. Keene seconded that motion and it carried.

Notification to Revise an Existing Program for Less Than 25%

Ms. Weaver made a motion to acknowledge receipt of the Notification to Revise an Existing Program for Less than 25% from Spencerian College located in Louisville, Kentucky. Dr. Meade seconded that motion and it carried. Ms. Gordon and Mr. Keene recused themselves from the vote.

Ms. Weaver made a motion to acknowledge receipt of the Notification to Revise an Existing Program for Less than 25% from Medical Career Training Center, located in Richmond, Kentucky. Dr. Meade seconded that motion and it carried.

Commercial Drivers License Committee Report

Mr. Wilham denied a PE-11 application submitted by an Instructor for Mid American Truck Driving School, LLC. Mr. Wilham explained the application was incomplete and no background check was submitted. Ms. Gordon seconded that motion and it carried.

Complaint Review Committee Report

There are currently two complaints:

#2011-004 – is in process

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Investigator Report – Pending Inspections

Dr. Barron informed the Board that he visited Mid American Truck Driving School in Bowling Green, Kentucky after Kentucky State Police sited that they weren't in compliance. Dr. Barron indicated that the school is now in compliance. Earlier in the meeting the Board denied the application for Resident School submitted by Mid American Truck Driving School.

Dr. Barron will begin his no notice inspections. He's asked that Ms. Lane send an email notice that these inspections will be taking place.

Old Business

Ms. Allen reported on the current status of the Decker College students who sought Claims against the Student Protection Fund. Ms. Allen explained that there are a few that do qualify for the reimbursement but she's compiled a list of several who definitely do not qualify. Mr. Wilham made a motion for Ms. Allen to begin sending letters out to the students that do not qualify and explain why they did not meet the qualifications for reimbursement. Ms. Weaver seconded that motion and it carried.

Ms. Allen gave each member a draft of regulations that she's been revising. Ms. Allen made some changes to the fee regulations and informed the Board that the Student Protection Fund would be funded through renewal application as well as initial applications received by the schools. Ms. Allen informed members that the larger schools will be required to pay more towards the Student Protection Fund since they hold a greater risk in students filing claims. Ms. Allen asked all members to review the revisions and bring any changes to the March meeting.

New Business

Ms. Lane gave copies of a letter that a school received back in 2010 granting the school permission to add a new program when the school was never licensed to begin with. Ms. Lane asked the Board how they would like to proceed since the school does intend to hold classes for Kentucky residents as well as advertise in the state. Mr. Keene made a motion for Ms. Lane to send a letter to the school asking that they submit an application immediately and not recruit any more students until they have received a license from the Board. Mr. Wilham seconded that motion and it carried.

Ms. Allen discussed House Bill 308 that has been presented to the House of Representatives Education Committee. It has passed and will move on to the Senate Education Committee. This bill would abolish the current State Board for Proprietary Education and would move it to the Cabinet for Workforce Development and it would become a Commission with brand new members. Mr. Wilham made a motion to have Ms. Allen send a letter to the Education Committee stating the Board has made several changes over the last few months and has taken on many of the audit recommendations while improving Board structure and practices. If the Board makes the change to become a Commission it would be a huge disservice to the schools. Ms. Weaver seconded that motion and it carried.

Ms. Gordon made a motion that plaques be sent to outgoing Board members Mike Powers, and Alison Cuentas, thanking them for their time on the Board. Mr. Wilham seconded that motion.

Travel and Per Diem

Ms. Gordon made a motion to approve travel and per diem for all members that attended today's meeting as well as any member that traveled on Board related business since the January meeting. Dr. Meade seconded that motion and it carried unanimously.

Adjournment

Dr. Meade made a motion to adjourn the meeting. Mr. Wilham seconded that motion and it carried unanimously.

Meeting adjourned at 11:51am.